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Assistant Commissioner for Patents, Washington, D.C. 20231, on January 19, 2002.

Ruth M. Saskowski
Ruth M. Saskowski



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COPY OF PAPERS
ORIGINALLY FILED

In the application of:

Alessandro Sette, *et al.*

Serial No.: 09/189,702

Filing Date: 10 November 1998

For: HLA BINDING PEPTIDES AND
THEIR USES

Examiner: Ronald B. Schwadron, Ph.D.

Group Art Unit: 1644

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FEB 20 2002

TECH CENTER 1600/2900

[Signature]
AMENDMENT UNDER 37 C.F.R. § 1.111

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in response to an Office Action herein mailed 20 July 2001, time for response to which was set to expire 20 October 2001. A petition for an extension of time of three (3) months until 20 January 2002 is attached hereto, along with the required fee. The considered claims, claims 7-11 and 16-17 were rejected. Careful consideration has been given to the grounds for rejection, and the following amendment and discussion are offered in response. Reconsideration is respectfully requested.

Enclosed is the following Exhibit A: Marked-up Version of Amendments to the Claims.

02/19/2002 WABRIAM1 00000009 031952 09189702

01 FC:117 920.00 CH

sd-73627

CERTIFICATE OF HAND DELIVERY

I hereby certify that this correspondence is being hand delivered to the United States Patent and Trademark Office on May 8, 2002.

Print Name: Devin Mayberry

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Alessandro SETTE, *et al.*

Serial No.: 09/189,702

Filing Date: 10 November 1998

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THEIR USES

Examiner: Ronald B. Schwadron, Ph.D.

Group Art Unit: 1644

COMMUNICATION

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Attached is the requested copy of our response to the Office Action mailed July 20, 2001
in the above-identified application.

Respectfully submitted,

Dated: May 3, 2002

By: 

Bruce D. Grant
Registration No. 47,608

Morrison & Foerster LLP
3811 Valley Centre Drive,
Suite 500
San Diego, California 92130-2332
Telephone: (858) 720-7962
Facsimile: (858) 720-5125



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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/189,702
	Filing Date	November 10, 1998
	First Named Inventor	Alessandro Sette, et al.
	Group Art Unit	1844
	Examiner Name	Ronald B. Schwadron, Ph.D.
Total Number Of Pages In This Submission	Attorney Docket No.	399632001920

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ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declarations (see Exhibit A)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Three Month Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> (2) papers by Carmen Gianfrani et al. and Keogh, et al. & Exhibit A - Scott Southwood Bio.
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	<input checked="" type="checkbox"/> Exhibit B - Declaration of Scott Southwood & Tables I-XVI & Figures 1-14
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	<input checked="" type="checkbox"/> Return Postcard
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT	
Firm or Individual Name	Morrison & Foerster LLP 3811 Valley Centre Drive, Suite 500, San Diego, CA 92130 Kate H. Murashige
Signature	<i>Kate H. Murashige</i>
Date	January 18, 2002

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on January 18, 2002.
<i>Ruth Saskowski</i> Ruth Saskowski

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

sd-75084

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**FEE TRANSMITTAL
FOR FY 2001**

Patent fees are subject to annual revision.

Complete if Known

Application Number 09/189,702

Filing Date November 10, 1998

First Named Inventor Alessandro Sette, et al

Examiner Name Ronald B. Schwadr n, Ph.D.

Group Art Unit 1644

Attorney Docket No. 399632001920

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FEB 20 2002

TECH CENTER 1600/2900

TOTAL AMOUNT OF PAYMENT

(\$ 920.00)

METHOD OF PAYMENT

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

03-1952

Deposit
Account
Name

Morrison & Foerster LLP

- ☒
- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☐
- Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

- ☐
- Check
- ☐
- Credit Card
- ☐
- Money Order
- ☐
- Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
- 20** =	5	x 18	= \$
Independent Claims	- 3** =	0	x 0 = \$0
Multiple Dependent			= \$

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claims, if not paid
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

** or number previously paid, if greater; For reissues, see above.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	\$920.00
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions of the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per properties (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 920.00)

SUBMITTED BY

Name (Print/Type)

Kate H. Murashige

Registration No.
(Attorney/Agent)

29,959

Complete (if applicable)

Telephone

(858) 720-5112

Signature

Kate H. Murashige

Date

January 18, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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